tententee: Chr. Buhr et al Attorney 1 No.: 07/652,978 Docket No.: 4610-002 1 R Feb. 1991 VLENE PHOSPHONATE OLIGONUCLEOTIDE ANALOGS AND NUCLEOSIDES 2D STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS 37 CFR 1.9(f) and 1.27(c) - SMALL BUSINESS CONCERN The that I am
t No.: 07/652,978 Docket No.: 4610-002 R Feb. 1991 PLENE PHOSPHONATE OLIGONUCLEOTIDE ANALOGS AND NUCLEOSIDES ED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS 37 CFR 1.9(f) and 1.27(c) - SMALL BUSINESS CONCERN
: R Feb. 1991 VLENE PHOSPHONATE OLIGONUCLEOTIDE ANALOGS AND NUCLEOSIDES D STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS 37 CFR 1.9(f) and 1.27(c) - SMALL BUSINESS CONCERN
D STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS 37 CFR 1.9(f) and 1.27(c) - SMALL BUSINESS CONCERN
37 CFR 1.9(f) and 1.27(c) - SMALL BUSINESS CONCERN
re that I am
wner of the small business concern identified below: icial of the small business concern empowered to act on behalf of the concern identified i:
FCONCERNGilead Sciences, Inc.
S OF CONCERN 344 Lakeside Drive, Foster City, CA 94404
CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees unde and (b) of Title 35, United States Code, in that the number of employees of the concern, e of its affiliates, does not exceed 500 persons. For purposes of this statement. (1) the ployees of the business concern is the average over the previous fiscal year of the concern iployed on a full-time, part-time or temporary basis during each of the pay periods of the fisc concerns are affiliates of each other when either, directly or indirectly, one concern controls to control the other, or a third party or parties controls or has the power to control both.
re that rights under contract or law have been conveyed to and remain with the small ern identified above with regard to the invention, entitled METHYLENE PHOSPHONAT.
NUCLEOTIDE ANALOGS AND NUCLEOSIDES by inventor r, Mark Matteucci, Norbert W. Bischofberger, Brian Froeh
1, Mark Matteucci, Norbert W. Bischorberger, Brian Froen.
pecification filed herewith
cation senal no. <u>07/652,978</u> , filed <u>8 Feb. 1991</u>
nt no, issued
n having rights to the invention is listed below* and no rights to the invention are held by an than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) rights to see a small business concern under 37 CFR 1.9(d) or by a nonprofunder 37 CFR 1.9(e). *NOTE: Separate verified statements are required from each nameder or organization having rights to the invention averring to their status as small entities.
L LINDIVIDUAL LELSMALL BUSINESS CONCERN. LELNONPROFIT ORGANIZATIO
() MONTH () MONTH ON
LINDIVIDUAL LISMALL BUSINESS CONCERN LINONPROFIT ORGANIZATIO
e the duty to file, in this application or patent, notification of any change in status resulting i ment to small entity status prior to paying, or at the time of paying, the earliest of the issue enance fee due after the date on which status as a small entity is no longer appropriate. [3
'
are that all statements made herein of my own knowledge are true and that all statements ormation and belief are believed to be true; and further that these statements were made wige that willful false statements and the like so made are punishable by fine or imprisonment section 1001 of Title 18 of the United States Code, and that such willful false statements may be validity of the application, any patent is suing thereon, or any patent to which this varified
are that all statements made herein of my own knowledge are true and that all statements ormation and belief are believed to be true; and further that these statements were made wige that willful false statements and the like so made are punishable by fine or imprisonment section 1001 of Title 18 of the United States Code, and that such willful false statements made evalidity of the application, any patent sound thereon, or any patent to which this vicinity
are that all statements made herein of my own knowledge are true and that all statements ormation and belief-are believed to be true; and further that these statements were made wige that willful false statements and the like so made are punishable by fine or imprisonment section 1001 of Title 18 of the United Slates Code, and that such willful false statem into me evalidity of the application, any patent section 1001 of the application. By Jordan
are that all statements made herein of my own knowledge are true and that all statements ormation and belief are believed to be true; and further that these statements were made wige that willful false statements and the like so made are punishable by fine or imprisonment section 1001 of Title 18 of the United States Code, and that such willful false statements made evalidity of the application, any patent sound thereon, or any patent to which this vicinity
are that all statements made herein of my own knowledge are true and that all statements in the statements are believed to be true; and further that these statements were made with the willful false statements and the like so made are punishable by fine or imprisonment section 1001 of Title 18 of the United States Code, and that such willful false statem has made are punishable by fine or imprisonment section 1001 of Title 18 of the United States Code, and that such willful false statem has made are punishable by fine or imprisonment section 1001 of Title 18 of the United States Code, and that such willful false statem has made are punishable by fine or imprisonment section 1001 of Title 18 of the United States Code, and that such willful false statements are punishable by fine or imprisonment are under the United States Code, and that the statements will false statements are punishable by fine or imprisonment are under the United States Code, and that the statements are punishable by fine or imprisonment are under the United States Code, and that the States States Code, and the States States Code, and the States States Code, and that the States States Code, and the States States Code, and the
are that all statements made herein of my own knowledge are true and that all statements ormation and belief-are believed to be true; and further that these statements were made with ge that willful false statements and the like so made are punishable by fine or imprisonment section 1001 of Title 18 of the United States Code, and that such willful false-statem into me revalidity of the application, any patent issuing thereon, or any patent to which this vivilled the property of the application of the property of the prop
are that all statements made herein of my own knowledge are true and that all statements in the statements are believed to be true; and further that these statements were made with the willful false statements and the like so made are punishable by fine or imprisonment section 1001 of Title 18 of the United States Code, and that such willful false statem has made are punishable by fine or imprisonment section 1001 of Title 18 of the United States Code, and that such willful false statem has made are punishable by fine or imprisonment section 1001 of Title 18 of the United States Code, and that such willful false statem has made are punishable by fine or imprisonment section 1001 of Title 18 of the United States Code, and that such willful false statements are punishable by fine or imprisonment are under the United States Code, and that the statements will false statements are punishable by fine or imprisonment are under the United States Code, and that the statements are punishable by fine or imprisonment are under the United States Code, and that the States States Code, and the States States Code, and the States States Code, and that the States States Code, and the States States Code, and the
n which would not qualify as a small business concern under 37 CFR 1.9(d) or by a nonpurder 37 CFR 1.9(e). "NOTE: Separate verified statements are required from each name or organization having rights to the invention averring to their status as small entities.") [] INDIVIDUAL [] SMALL BUSINESS CONCERN [] NONPROFIT ORGANIZATE the duty to file, in this application or patent, notification of any change in status resulting ment to small entity status prior to paying, or at the time of paying, the earliest of the issue anance fee due after the date on which status as a small entity is no longer appropriate.

Roper#3

COMBINED DECLARATION AND POWER OF ATTORNEY FOR UTILITY PATENT APPLICATION

Attorney Docket No.

4610-0027

(if applicable)

entor. I hereby declare that: My residence, post office address and citizenship are as stated below next to my name; I BELIEVE I AM THE ORIGINAL, FIRST AND SOLE INVENTOR (if only one name is listed below) OR AN ORIGINAL, FIRST AND JOINT INVENTOR (if more than one name is listed below) OF THE SUBJECT MATTER WHICH IS CLAIMED AND FOR WHICH A PATENT IS SOUGHT ON THE INVENTION METHYLENE PHOSPHONATE OLIGONUCLEOTIDE ANALOGS AND ENTITLED: __ NUCLEOSIDES the specification of which: (check is attached hereto: 8 February 1991 one) was filed on _ 07/652,978 Application Serial No. . and was amended on _

I HAVE REVIEWED AND UNDERSTAND THE CONTENTS OF THE ABOVE-IDENTIFIED SPECIFICATION, INCLUDING THE CLAIMS, AS AMENDED BY ANY AMENDMENT REFERRED TO ABOVE:

I ACKNOWLEDGE THE DUTY TO DISCLOSE INFORMATION WHICH IS MATERIAL TO THE EXAMINATION OF THIS APPLICATION IN ACCORDANCE WITH TITLE 37, CODE OF FEDERAL REGULATIONS, Sec. 1.56 (a) which states: "A duty of candor and good faith toward the Patent and Trademark Office rests on the inventor, on each attorney or agent who prepares or prosecutes the application and on every other individual who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application. All such individuals have a duty to disclose to the Office information they are aware of which is material to the examination of the application. Such information is material where there is a substantial likelihood that a reasonable examiner would consider it important in deciding whether to allow the application to issue as a patent. The duty is commensurate with the degree of involvement in the preparation or prosecution of the application."

I do not know and do not believe the said invention was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to said application; that said invention was not in public use or on sale in the United States of America more than one year prior to said application; that said invention has not been patented or made the subject of an inventor's certificate issued before the date of said application in any country foreign to the United States of America on any application filed by me or my legal representatives or assigns more than twelve months prior to said application;

I hereby claim foreign priority benefits under Title 35, United States Code Sec. 119 and/or Sec. 365 of any foreign application(s) for patent or inventor's certificate as indicated below and have also identified below any foreign application for patent or inventor's certificate on this invention having a filing date before that of the application for patent or inventor's certificate on this invention having a filing date before that of the application on which priority is claimed:

	COUNTRY/INTERNATION	AL	APP	LICATION NUMB		E OF FILING month, year)	
							Yes N
							Yes N
and Tr	by appoint the following a ademark Office connecte ations directed to said in	ed therewith and to fi	i) to prosecute : ile, prosecute a	said application a nd to transact all	and to trans: I business in	act all busines	ss in the Pa with interna
	William H. Benz-Re Karl Bozicevic-Reg Thomas E. Ciotti-R David S. Dolberg-R Kenneth H. Goldman Ronald S. Laurie-R	eg. No. 21,013 eg. No. 34,469 eg. No. 34,174	Kate Matti Dian Robe	ys H. Monroy-Reg H. Murashige-Renew C. Rainey-Re ne E. Reed-Reg rta L. Robins-Re B A. Shetka-Reg	eg. No. 29, eg. No. 32, No. 31,292 eg. No. 33,	959_307 291 208	2
and:							
Addres	ss all correspondence to	:					
1							
	60 z 70.	/ IRELL & MANEL 2 545 Middlefield 2 Menio Park, C	LA 70/ Road, Suite : alifornia 946	200 025-3471			
	70. ss all telephone calls to:	Z-Menio Park, C Kate H. Mu	alifornia 940 rashige	025-3471	of that all et-		327-7250.
I herek and be statem States of CHE	ss all telephone calls to: by declare that all statem elief are believed to be truents and the like so made. Code and that such will seprecent the solution of the solution o	Menlo Park, C Kate H. Mu tents made herein of rue; and further that the rue are punishable by	rashige my own knowl these statement	edge are true ants were made worment, or both.	vith the knov under Section	atements mad wledge that w on 1001 of Tri	de on inforr rillful false tle 18 of the
I herek and be statem States OFULNAM CHI	ss all telephone calls to: by declare that all statemelief are believed to be truents and the like so made. Code and that such will sersole or from the like so. RIS BUHR	Menlo Park, C Kate H. Mu Hents made herein of rue; and further that de are punishable by ful false statements	rashige my own knowlethese statement fine or imprisor may jeopardize	edge are true and the swere made woment, or both, to the validity of the A. Bull.	vith the know under Section ne application	atements mad wiedge that won 1001 of Tri on or any pate	de on inforr rillful false tle 18 of the
I herek and be statem States CHF RESIDENCE 870	ss all telephone calls to: by declare that all statemed to be tree to be so made to be tree to be and the like so made to be and that such will be of some or	Menlo Park, C Kate H. Mu Hents made herein of rue; and further that de are punishable by ful false statements	rashige my own knowlethese statement fine or imprisor may jeopardize	edge are true ants were made worment, or both.	vith the know under Section ne application	atements mad wiedge that won 1001 of Tri on or any pate	de on inforr rillful false tle 18 of the
I herek and be statem States CHF RESORT	ss all telephone calls to: by declare that all statemedief are believed to be tracents and the like so made and that such will corsoleography wenton RIS BUHR Campus Drive Campus Drive as above	Menlo Park, C Kate H. Mu Hents made herein of rue; and further that de are punishable by ful false statements	rashige my own knowlethese statement fine or imprisor may jeopardize	edge are true and the warre made we comment, or both, to the validity of the A. B. CA. 94015	vith the know under Section ne application	atements mad wiedge that won 1001 of Tri on or any pate	de on inforr rillful false tie 18 of the
I herek and be statem States CHF RESORT	ss all telephone calls to: by declare that all statemedief are believed to be tracents and the like so made to be tracents and that such will corsoleon from the like so made that such will be of soleon from the like so made and that such will corsoleon from the like so made and that such will be of soleon from the like so made as above the like soleon from the li	Menlo Park, C Kate H. Mu Hents made herein of rue; and further that de are punishable by ful false statements	rashige imy own knowlethese statement fine or imprisormay jeopardize y City,	edge are true and the warre made we comment, or both, to the validity of the A. B. CA. 94015	vith the know under Section ne application	atements made wiedge that won 1001 of Trans or any pate CITZENSHP	de on informiliful false tie 18 of the ent issued t
I heret and be statem States CHF RESOLUTION STORY STORY MAF	ss all telephone calls to: by declare that all statements and the like so made to code and that such will corsoleografisments. Code and that such will corsoleografisments. CIS BUHR CAMPUS Drive CAMPUS Drive as above. CAMPUS ADVESS CAMPUS AD	Menio Park, C Kate H. Mu ments made herein of rue; and further that de are punishable by ful false statements a, #303, Dal	rashige my own knowlethese statement fine or imprisor may jeopardize y City	edge are true and the validity of the validity of the CA 94015	vith the know under Section ne application	atements mad wiedge that won 1001 of Tri on or any pate	de on informiliful false tie 18 of the ont issued to DATE
I heret and be statem States CHF RESERVE STATEMENT STATE	ss all telephone calls to: by declare that all statemelief are believed to be truents and the like so made Code and that such will corsoleografismenton RIS BUHR Campus Drive Campus Drive as above ECRADIESS THE ACTION OF THE COLUMBUS AVERABLES	Menio Park, C Kate H. Mu ments made herein of rue; and further that de are punishable by ful false statements a, #303, Dal	rashige my own knowlethese statement fine or imprisor may jeopardize y City	edge are true and the validity of the validity of the CA 94015	vith the know under Section ne application	atements made wiedge that won 1001 of Trans or any pate U.S.A.	de on informiliful false tie 18 of the ont issued to DATE
I heret and be statem States CHF RESOLUTION MAP RESOLUTION SA	ss all telephone calls to: by declare that all statemed to be treed to be tre	Menio Park, C Kate H. Mu ments made herein of rue; and further that ride are punishable by ful false statements r, #303, Dal	rashige my own knowlethese statement fine or imprisor may jeopardize y City	edge are true and the validity of the validity of the CA 94015	vith the know under Section ne application	atements made wiedge that won 1001 of Trans or any pate U.S.A.	DATE
I heret and be statem States CHF RESORT STATEMENT STATEM	ss all telephone calls to: by declare that all statements and the like so made to code and that such will corsoleorffst wenton RIS BUHR Campus Drive CANDESS THE AS ABOVE CA COLUMBUS AVECTORIORS THE AS ABOVE	Menio Park, C Kate H. Mu Hents made herein of True; and further that if the are punishable by ful false statements , #303, Dal www. Henue, Burli Worder of the best of the	rashige my own knowl these statement fine or impriso may jeopardize y City, scounting ngame, C	edge are true and the validity of the validity of the CA 94015	with the known under Section application	CITIZENSHP U.S.A.	DATE
Herekand be statem States CHF RESCRICE STATE STA	ss all telephone calls to: by declare that all statements are believed to be truents and the like so made code and that such will ecosocion from the code and the co	Menio Park, C Kate H. Mu Hents made herein of True; and further that if the are punishable by ful false statements , #303, Dal www. Henue, Burli Worder of the best of the	rashige my own knowl these statement fine or impriso may jeopardize y City, scounting ngame, C	edge are true and the validity of the validity of the CA 94015	with the known under Section application	atements made wiedge that won 1001 of Trans or any pate U.S.A.	DATE
I heret and be statem States CHF RESIDENCE STATEMENT OF MAIN MAIN STATEMENT STATEMENT OF NOTICE STATEMENT	ss all telephone calls to: by declare that all statements and the like so made code and that such will corsoleon from the like so made code and that such will corsoleon from the like so made code and that such will corsoleon from the like so made code and that such will corsoleon from the like so made code and that such will corsoleon from the like so made code code code code code code code co	Menio Park, C Kate H. Mu ments made herein of rue; and further that rue are punishable by ful false statements rue, #303, Dal rue enue, Burli rue of Berger t, San Carl	rashige my own knowl these statement fine or impriso may jeopardize y City, scounting ngame, C	edge are true and the validity of the validity of the CA 94015	with the known under Section application	CITIZENSHP U.S.A.	DATE
I heret and be statem States CHF RESCRICE STATE	ss all telephone calls to: by declare that all statements and the like so made code and that such will ecosocion from the code and the code a	Menio Park, C Kate H. Mu ments made herein of rue; and further that rue are punishable by ful false statements rue, #303, Dal rue enue, Burli rue of Berger t, San Carl	rashige my own knowl these statement fine or impriso may jeopardize y City, scounting ngame, C	edge are true and the validity of the validity of the CA 94015	with the known under Section application	CITIZENSHP U.S.A.	DATE
I heret and be statem States Of CHF RESCRICE STATEMENT OF THE STATEMENT OF	SS all telephone calls to: Dy declare that all statements are believed to be truents and the like so made to code and that such will expressive the such will expressive the such will expressive the such was above to compuse the such that such was above to compuse the such that such was above to compuse the such that such that such will be compused to the such that such tha	Menio Park, C Kate H. Mu ments made herein of rue; and further that rue are punishable by ful false statements , #303, Dal ww enue, Burli of OFBERGER t, San Carl	rashige imy own knowlethese statement fine or impriso may jeopardize y City, SCONATURE OS, CA	edge are true and the wall dity of the validity of the validity of the A. Bull A. 94015 A. 94010 C. A. 94010	with the known under Section application	CITIZENSHP U.S.A.	DATE
I heret and be statem States CHF RESOURCE STATEM MAF RESOURCE STATEM STA	ss all telephone calls to: by declare that all statements and the like so made code and that such will ecosocion from the code and the code a	Menio Park, C Kate H. Mu ments made herein of rue; and further that rue are punishable by ful false statements , #303, Dal ww enue, Burli of OFBERGER t, San Carl	rashige imy own knowlethese statement fine or impriso may jeopardize y City, SCONATURE OS, CA	edge are true and the validity of the validity of the CA 94015	with the known under Section application	CITIZENSHIP U.S.A.	DATE